

TITLE 2: PUBLIC MORALS, SAFETY AND WELFARE
DIVISION 1: EMERGENCY SERVICES

CHAPTER 1
EMERGENCY SERVICES ORGANIZATION

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21.0101 Purposes.

The declared purposes of this chapter are to provide for the preparation and execution of plans for the protection of life and property within this County in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of this County with all other public agencies, corporations, organizations and affected private persons.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0102 Definition of Emergency.

As used in this chapter, "emergency" shall mean an actual disaster or threat of disaster or of an extreme peril to the safety of life and property within this County caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake, or other conditions including situations resulting from war, terrorist attack or imminent threat of war or terrorist attack, but other than circumstances resulting from a labor controversy; where such conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County acting independently of each other, thus requiring coordinated action within the County and possibly the assistance of other private and public agencies within and without the County.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0103 Director, Assistant Director, and Division Manager of the Office of Emergency Services.

(a) There is hereby created the Office of Director of Emergency Services. The Chairman of the Board of Supervisors shall be the Director of Emergency Services. In the absence of the Chairman of the Board of Supervisors, the Vice-Chairman of the Board of Supervisors shall serve in this capacity. In the absence of the Chairman and Vice-Chairman of the Board of Supervisors, one of the three remaining members of the Board of Supervisors shall serve in this capacity, in order of their seniority of service on the Board of Supervisors.

(b) There is hereby created the Office of Assistant Director of Emergency Services, who shall be the County Administrative Officer. The Fire Chief of the San Bernardino County Consolidated Fire District shall serve in this capacity in the absence, or upon the delegation, of the County Administrative Officer.

(c) There shall be appointed a Manager of the Office of Emergency Services, who shall be the day-to-day manager and coordinator of Emergency Services.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0104 Emergency Powers of the Director of Emergency Services; the Assistant Director of Emergency Services; and the Division Manager of the Office of Emergency Services.

(a) The Director of Emergency Services, and in the absence of the Director, the Assistant Director of Emergency Services, and in the absence of the Assistant Director, the Division Manager of the Office of Emergency Services is hereby empowered to:

(1) Request the Board of Supervisors to proclaim the existence of a "Local Emergency" if the Board of Supervisors is in session, or to issue such proclamation if the Board of Supervisors is not in session. Whenever a local emergency is proclaimed by the Director of Emergency Services, the Assistant Director of Emergency Services, or the Division Manager of Emergency Services, the Board of Supervisors shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect;

(2) Recommend that the Board of Supervisors request the Governor to proclaim a "State of Emergency" when, in his or her opinion, the locally available resources are inadequate to cope with the emergency;

(3) Control and direct the effort of the emergency organization of this County for the accomplishment of the purposes of this chapter;

(4) Direct cooperation between and coordination of services and staff of the emergency organization of this County; and resolve questions of authority and responsibility that may arise between them; and

(5) Represent this County in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.

(b) In the event of the proclamation of a "Local Emergency" as herein provided, the proclamation of a "State of Emergency" by the Governor or the Director of the State Office of Emergency Services, or the existence of a "State of War Emergency," the Director of Emergency Services, and in the absence of the Director, the Assistant Director of Emergency Services, and in the absence of the Assistant Director, the Division Manager of the Office of Emergency Services, is hereby empowered to:

(1) Make and issue rules, regulations and orders on matters reasonably related to the protection of life and property as affected by such emergency, provided, however, that such rules, regulations and orders are confirmed at the earliest practicable time by the Board of Supervisors;

(2) Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property, and to bind the County for the fair value thereof and, if required immediately, to commandeer the same for public use;

(3) Require emergency services of any County officer or employee, and in the event of the proclamation of a "Local Emergency" in the County or the existence of a proclaimed "State of Emergency" or a "State of War," to command the aid of as many citizens of this County as he or she deems necessary in the execution of his or her duties; all such County officers and employees performing disaster work that is outside the course and scope of their regular employment without pay, and all such commanded citizens, shall be entitled to all privileges, benefits and immunities as are provided by State law for registered disaster service workers;

(4) Requisition necessary personnel or material of any County department or agency; and

(5) Execute all of his or her ordinary power as Director of Emergency Services, all of the special powers conferred upon him or her by this Chapter or by resolution or emergency plan adopted by the Board of Supervisors, all powers conferred upon him or her by any statute, by any agreement approved by the Board of Supervisors, and by any other lawful authority.

(c) The Director may pre-designate a person to attend Disaster Council and other meetings concerning emergencies as his or her representative in the event he or she is unavailable to attend.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0105 Duties of the Division Manager of the Office of Emergency Services.

The Division Manager of the Office of Emergency Services shall develop emergency plans and manage the emergency programs of this County, and shall have such other powers and duties as may be assigned by the Director of Emergency Services or the Board of Supervisors.

The Division Manager of the Office of Emergency Services shall, prior to an emergency, be responsible for:

(a) Developing and coordinating the Emergency Services planning for San Bernardino County, which will provide for the utilization of all County governmental entities; their resources and equipment; all commercial and industrial resources; and all special groups, bodies, and organizations, including the San Bernardino Operational Area Coordinating Council, as may be necessary for the support of Emergency Services operations;

(b) Developing and coordinating such training programs and exercises as may be necessary for operational requirements;

(c) Developing and coordinating programs designed to inform the public of measures for self-protection and Emergency Services activities;

(d) Coordinating and serving as liaison with Federal, State, and other County and City and Town Emergency Services agencies, and with representatives of the United States Armed Forces;

(e) Recommending to the San Bernardino County Disaster Council for consideration all matters within the purview of the Council's responsibilities; and

(f) Recommending to the Board of Supervisors for consideration matters of policy decision insofar as they relate to Emergency Services; and

(g) Overseeing the emergency operations plans of county groups, departments, and agencies.

During an emergency, the Division Manager of the Office of Emergency Services will assist the Director of Emergency Services and/or Assistant Director of Emergency Services in coordinating the response of the emergency organization.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0106 Disaster Council Membership.

(a) The San Bernardino County Disaster Council is hereby created and shall consist of the following twenty voting members and one non-voting member:

(1) The Chairman of the Board of Supervisors, or his or her pre-designated representative in his or her absence;

(2) The four remaining members of the Board of Supervisors, or each remaining Supervisor's pre-designated representative in his or her absence;

(3) The County Administrative Officer, or his or her pre-designated representative in his or her absence;

(4) The Assistant County Administrative Officer, or his or her pre-designated representative in his or her absence;

(5) The Assistant County Administrator for Economic Development/Public Services Group, or his or her pre-designated representative in his or her absence;

(6) The Assistant County Administrator for Human Services System, or his or her pre-designated representative in his or her absence;

(7) The Fire Chief/Fire Warden of the San Bernardino County Consolidated Fire District, or his or her pre-designated representative in his or her absence;

(8) The Auditor/Controller-Recorder, County Clerk, or his or her pre-designated representative in his or her absence;

(9) The County Sheriff, or his or her pre-designated representative in his or her absence;

(10) The County Public Administrator/Coroner-Public Guardian/Conservator, or his or her pre-designated representative in his or her absence;

(11) The County Director of the Human Resources Department, or his or her pre-designated representative in his or her absence;

(12) The County Public Health Director, or his or her pre-designated representative in his or her absence;

(13) The County Health Officer, or his or her pre-designated representative in his or her absence;

(14) The County Director of the Information Services Department, or his or her pre-designated representative in his or her absence;

(15) The County Director of the Special Districts Department, or his or her pre-designated representative in his or her absence;

(16) The County Director of the Department of Public Works, or his or her pre-designated representative in his or her absence;

(17) The County Superintendent of Schools, or his or her pre-designated representative in his or her absence; and

(18) A non-voting At-large Representative of the San Bernardino County Operational Area Coordinating Council selected by that body to serve in such ex officio capacity, or that Coordinating Council's selected alternate representative in his or her absence.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0107 Disaster Council Chairman, Chairman Pro Tempore, and Staff.

(a) The Chairman of the Board of Supervisors shall serve as the Disaster Council Chairman. In the absence of the Chairman of the Board of Supervisors, the Vice-Chairman of the Board of Supervisors shall serve as the Disaster Council Chairman. In the absence of the Chairman and Vice-Chairman of the Board of Supervisors, one of the three remaining members of the Board of Supervisors shall serve as the Disaster Council Chairman, in order of

their seniority of service on the Board of Supervisors. In the absence of all members of the Board of Supervisors, the County Administrative Officer shall serve as the Disaster Council Chairman. In the absence of all members of the Board of Supervisors and the County Administrative Officer, the Fire Chief of the Consolidated Fire District shall serve as the Disaster Council Chairman.

(b) A member of the Disaster Council shall be selected annually by the members of the Disaster Council to serve as the Disaster Council Chairman Pro Tempore, to chair the Disaster Council meetings in the absence of the Chairman of the Board of Supervisors, the Vice-Chairman of the Board of Supervisors, the County Administrative Officer, and the Fire Chief of the Consolidated Fire District.

(c) The staff assigned to assist the San Bernardino County Disaster Council in carrying out its powers and duties shall consist of the following:

(1) The Division Manager of the County's Office of Emergency Services, who shall serve as the Executive Director of the Disaster Council to facilitate its operations, or an Office of Emergency Services staff member assigned to assist the Disaster Council in his or her absence;

(2) The County Counsel, or a Deputy County Counsel assigned to advise the County's Office of Emergency Services in his or her absence.

(3) Such other persons as are required by the Disaster Council.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0108 Disaster Council Powers and Duties.

It shall be the duties of the San Bernardino County Disaster Council, and it is hereby empowered, to advise and recommend for adoption by the Board of Supervisors, emergency plans, mutual aid agreements, and such ordinances, resolutions, rules and regulations as are necessary to implement such plans and agreements; and to serve as the San Bernardino County Citizen Corps Council. The Disaster Council shall meet at least annually or upon call of the Director of Emergency Services, the Assistant Director of Emergency Services, or the Division Manager of the Office of Emergency Services as often as is deemed necessary by such persons.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.0109 Organization.

(a) EMERGENCY ORGANIZATION. All officers and employees of this County, together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations, and persons who may by agreement or operation of law, including persons impressed into service under the provisions of section 21.0104(b)(3) of this chapter to be charged with duties incident to the protection of life and property in this County during such emergency, shall constitute the emergency organization of the County of San Bernardino.

(b) DISASTER SERVICE WORKERS. All public and private volunteer agencies, and members, e.g., Disaster Service, Emergency Medical Services, Search and Rescue, and Communication Organizations, will register with the Office of Emergency Services as Disaster Service Workers.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),

21.00110 Violations.

It shall be a misdemeanor, punishable by a fine of not to exceed five hundred dollars (\$500.00) or by imprisonment for a period not to exceed six (6) months, or both, for any person, during a State of War Emergency, State of Emergency or Local Emergency, or a drill or exercise in preparation for any such emergency to:

(a) Willfully obstruct, hinder, or delay any member of the emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of duties, to include but not be limited to willful deliberate interference with radio communications between persons designated as agents of the County, paid or volunteer, during a practice drill or an emergency;

(b) Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if it is of such a nature as to give or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this County, or to prevent, hinder, or delay the defense or protection thereof; or

(c) Wear, carry, or display, without authority, any means of identification specified by the emergency agency of the State of California or San Bernardino County.

Amended Ordinance 3066 (1986); Amended Ordinance 3589 (1994); Amended Ordinance 3696 (1997), Repealed Ordinance 3922 (2004), Adopted Ordinance 3922 (2004),